

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:16-00145

JOSEPH SAMPSON

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On August 31, 2021, the United States of America appeared by Ryan A. Keefe, Assistant United States Attorney, and the defendant, Joseph Sampson, appeared in person and by his counsel, David O. Schles, for a hearing on the petition seeking revocation of supervised release submitted by United States Probation Officer Patrick M. Fidler. The defendant commenced a three-year (3) term of supervised release in this action on October 5, 2018, as more fully set forth in the Judgment Order entered by the court on November 21, 2016.

The court heard the admissions of the defendant, and the representations and arguments of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found by a preponderance of the evidence that the defendant has violated the conditions of supervised release in the following respect: (1) on September 20, 2019, November 10, 2020, January 12, 2021, April 8, 2021, April 13, 2021, April 21, 2021 and June 15, 2021, the defendant submitted urine specimens that tested positive for methamphetamine; and on September 20, 2019, and April 8, 2019, the defendant admitted to the probation officer he had used methamphetamine and signed a voluntary admission form confirming his use of the drug on both dates, and on January 12, 2021, the defendant admitted to the probation officer he used methamphetamine approximately 10 days prior; (2) the defendant failed to submit to random urinalysis or any other drug screening on several occasions from October 22, 2018, through May 17, 2021, as more fully set forth in the petition and on the record; (3) on October 15, 2018, the defendant was referred to the Court's contracted treatment provider and was directed to attend two counseling sessions per month, on November 18, 2020, his attendance was increased to one session per week, and the defendant failed to attend several counseling sessions from October 2018, through March 2021, as more fully set forth in the petition and of the record; and (4) on May 20,

2021, the defendant was instructed, at the direction of the probation officer, to enter Presteria Center's short-term residential substance abuse treatment program for a period of 30 to 90 days, and on May 29, 2021, the probation officer was notified that the defendant was discharged from the facility for violating the facility's program rules; all as admitted by the defendant and as set forth in the petition on supervised release, and by the court's findings on the record of the hearing.

And the court finding, as more fully set forth on the record of the hearing, that the violation warrants revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

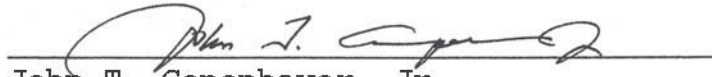
And the court having complied with the requirements of Rule 32.1(b)(2) and (c)(1) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the

defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of SIX (6) MONTHS, and no further term of supervised release is imposed.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: October 22, 2021


John T. Copenhaver, Jr.
Senior United States District Judge